



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,608	08/04/2003	Scott H. Mills	1033-T00505	1607
60533	7590	09/06/2007	EXAMINER	
TOLER SCHAFFER, LLP			CAMPBELL, JOSHUA D	
8500 BLUFFSTONE COVE				
SUITE A201			ART UNIT	PAPER NUMBER
AUSTIN, TX 78759			2178	
			MAIL DATE	DELIVERY MODE
			09/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/604,608 Examiner Joshua D. Campbell	MILLS ET AL. Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 June 2007.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4,6-10,12-14 and 16-23 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,2,4,6-10,12-14 and 16-23 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/8/2007</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 6/18/2007 and IDS filed 1/8/2007.
2. Claims 1, 2, 4, 6-10, 12-14, 16, 17, and 20-23 are pending in this case. Claims 1, 10, and 12 are independent claims. Claims 1, 2, 4, 6-10, 12-14, and 16-22 have been amended. Claim 23 has been newly added.
3. The rejection of Claims 10 and 22 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter has been withdrawn due to amendments.
4. The rejection of claims 1, 2, 4, 6-8, 10, 12-14, 16-18, and 20 under 35 U.S.C. 102(b) as being anticipated by Halvorson et al. (hereinafter Halvorson, "Microsoft Office XP Inside Out," published in 2001) has been withdrawn due to amendments, a new grounds of rejection has been presented below.
5. The rejection of claims 9, 21, and 22 under 35 U.S.C. 103(a) as being unpatentable over Halvorson et al. (hereinafter Halvorson, "Microsoft Office XP Inside Out," published in 2001) in view of Koss (US Patent Number 5,272,628, issued on December 21, 1993) has been withdrawn due to amendments, a new grounds of rejection has been presented below.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1, 2, 4, 6-10, 12-14, 16-18, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halvorson et al. (hereinafter Halvorson, "Microsoft Office XP Inside Out," published in 2001) in view of Michelman et al. (hereinafter Michelman, US Patent Number 5,987,481, issued November 16, 1999).

Regarding independent claim 1, Halvorson discloses receiving a selection of multiple spreadsheets and multiple portions of those spreadsheets via a graphical control panel (pages 689-693 of Halvorson). Halvorson discloses that the data portions are retrieved and appended to the generated final report spreadsheet, including appending information identifying the sources of the data portions (pages 694-697 of Halvorson). Halvorson discloses that receiving a selection of portions of data comprising setting functions (predefined) for desired text in the spreadsheet (pages 694-697 of Halvorson). Halvorson does not explicitly disclose that searching the spreadsheet for elements fulfills the functions. However, Michelman discloses that spreadsheet are searched in order to generate a list of labels within the spreadsheet that match the label references identified in the formula (column 1, line 56-column 3, line 25 of Michelman), thus the predefined function is used as a predefined search to identify portions of data. It would have been obvious to one of ordinary skill in the art to have combined the teachings of Halvorson with the teachings of Michelman because it

would have allowed the spreadsheet program to automatically select the portions of the spreadsheet that reference the elements the user would like to be included in functions.

Regarding dependent claims 2, 4, and 6, Halvorson discloses the ability to make a selection of a workbook, a worksheet, and any portion of a worksheet including cells, rows, columns, etc. to be used in the creation of the final report spreadsheet (pages 689-693 of Halvorson).

Regarding dependent claim 7, Halvorson does not explicitly disclose that searching the spreadsheet for desired text. However, Michelman discloses that spreadsheet are searched in order to generate a list of labels (desired text) within the spreadsheet that match the label references identified in the formula (column 1, line 56-column 3, line 25 of Michelman), thus the predefined function is used as a predefined search to identify portions of data. It would have been obvious to one of ordinary skill in the art to have combined the teachings of Halvorson with the teachings of Michelman because it would have allowed the spreadsheet program to automatically select the portions of the spreadsheet that reference the elements the user would like to be included in functions.

Regarding dependent claim 8, Halvorson discloses that additional data not found in the selected spreadsheets may also be appended to the final report spreadsheet (pages 694-697 of Halvorson).

Regarding dependent claim 9, Halvorson discloses that receiving a selection of portions of data comprising setting functions (predefined) for desired text in the spreadsheet (pages 694-697 of Halvorson). Halvorson does not explicitly disclose that

searching the spreadsheet for elements fulfills the predetermined functions. However, Michelman discloses that spreadsheet are searched in order to generate a list of labels within the spreadsheet that match the label references identified in the formula (column 1, line 56-column 3, line 25 of Michelman), thus the predefined function is used as a predefined search to identify portions of data. It would have been obvious to one of ordinary skill in the art to have combined the teachings of Halvorson with the teachings of Michelman because it would have allowed the spreadsheet program to automatically select the portions of the spreadsheet that reference the elements the user would like to be included in functions.

Regarding independent claim 10, Halvorson discloses receiving a selection of multiple spreadsheets and multiple portions of those spreadsheets via a graphical control panel (pages 689-693 of Halvorson). Halvorson discloses that the data portions are searched for and retrieved and appended to the generated final report spreadsheet, including appending information identifying the sources of the data portions (pages 694-697 of Halvorson). Halvorson discloses that receiving a selection of portions of data comprising setting functions (predefined) for desired text in the spreadsheet (pages 694-697 of Halvorson). Halvorson does not explicitly disclose that searching the spreadsheet for elements fulfills the functions. However, Michelman discloses that spreadsheet are searched in order to generate a list of labels within the spreadsheet that match the label references identified in the formula (column 1, line 56-column 3, line 25 of Michelman), thus the predefined function is used as a predefined search to identify portions of data. It would have been obvious to one of ordinary skill in the art to

have combined the teachings of Halvorson with the teachings of Michelman because it would have allowed the spreadsheet program to automatically select the portions of the spreadsheet that reference the elements the user would like to be included in functions.

Regarding independent claim 12, Halvorson discloses receiving a selection of multiple spreadsheets and multiple portions of those spreadsheets via a graphical control panel (pages 689-693 of Halvorson). Halvorson discloses that the data portions are identified in predetermined functions and retrieved and appended to the generated final report spreadsheet, including appending information identifying the sources of the data portions (pages 694-697 of Halvorson). Halvorson discloses that receiving a selection of portions of data comprising setting functions (predefined) for desired text in the spreadsheet (pages 694-697 of Halvorson). Halvorson does not explicitly disclose that searching the spreadsheet for elements fulfills the functions. However, Michelman discloses that spreadsheet are searched in order to generate a list of labels within the spreadsheet that match the label references identified in the formula (column 1, line 56-column 3, line 25 of Michelman), thus the predefined function is used as a predefined search to identify portions of data. It would have been obvious to one of ordinary skill in the art to have combined the teachings of Halvorson with the teachings of Michelman because it would have allowed the spreadsheet program to automatically select the portions of the spreadsheet that reference the elements the user would like to be included in functions.

Regarding dependent claims 13-17, Halvorson discloses the ability to open a workbook, all workbooks open, and one or more worksheets and then select data from the opened files (pages 689-693 of Halvorson).

Regarding dependent claim 18, Halvorson discloses the use of a status indicator in the graphical control panel (page 605, Figure 21-1).

Regarding dependent claim 20, Halvorson discloses at least one window is used to receive selection of spreadsheets and the portions within those spreadsheets (pages 694-697 of Halvorson).

Regarding dependent claim 21, Halvorson discloses that receiving a selection of portions of data comprising setting functions (predefined) for desired text in the spreadsheet which is stored (pages 694-697 of Halvorson). Halvorson does not explicitly disclose that searching the spreadsheet for elements fulfills the predetermined functions. However, Michelman discloses that spreadsheet are searched in order to generate a list of labels within the spreadsheet that match the label references identified in the formula (column 1, line 56-column 3, line 25 of Michelman), thus the predefined function is used as a predefined search to identify portions of data. It would have been obvious to one of ordinary skill in the art to have combined the teachings of Halvorson with the teachings of Michelman because it would have allowed the spreadsheet program to automatically select the portions of the spreadsheet that reference the elements the user would like to be included in functions.

Regarding dependent claim 22, Halvorson discloses that receiving a selection of portions of data comprising setting functions (predefined) for desired text in the

Art Unit: 2178

spreadsheet (pages 694-697 of Halvorson). Halvorson does not explicitly disclose that searching the spreadsheet for elements fulfills the predetermined functions. However, Michelman discloses that spreadsheet are searched in order to generate a list of labels within the spreadsheet that match the label references identified in the formula (column 1, line 56-column 3, line 25 of Michelman), thus the predefined function is used as a predefined search to identify portions of data. It would have been obvious to one of ordinary skill in the art to have combined the teachings of Halvorson with the teachings of Michelman because it would have allowed the spreadsheet program to automatically select the portions of the spreadsheet that reference the elements the user would like to be included in functions.

Regarding dependent claim 23, Halvorson discloses that the resulting spreadsheet contains data identifying sources of the portions of data (pages 693-697 see "Linking..." and "Consolidating..." of Halvorson)

8. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Halvorson et al. (hereinafter Halvorson, "Microsoft Office XP Inside Out," published in 2001) in view of Michelman et al. (hereinafter Michelman, US Patent Number 5,987,481, issued November 16, 1999), further in view of Anson (US Patent Application Publication Number 2003/0061193, filed September 24, 2001).

Regarding dependent claim 19, neither Halvorson nor Michelman disclose using an event logger to tracking the events that take place during processing. However, Anson teaches logging events in the system during processing and

presenting that log to a user (page 1, paragraph 0006 of Anson). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Halvorson and Michelman with the teachings of Anson because analyzing and examining entries in a log would have allowed a user to prevent errors from reoccurring.

Response to Arguments

9. Applicant's arguments with respect to claims 1, 2, 4, 6-10, 12-14, 16, 17, and 20-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent Number 6,138,130

US Patent Application Publication Number 2002/0129053

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JDC
August 27, 2007

STEPHEN HONG
SUPERVISORY PATENT EXAMINER